DOCUMENT RESUME

ED 145 545 EA 010 011

TITLE	Summary of Education Laws Enacted by the 1976 Michigan Legislature.
INSTITUTION	Michigan State Dept. of Education, Lansing.
PUB DATE	Feb 77
NOTE	55p.
EDRS PRICE	MF-$0.83 HC-$3.50 Plus Postage.
DESCRIPTORS	*Educational Legislation; *Educational Programs; Elementary Secondary Education; Higher Education; *State Legislation
IDENTIFIERS	*Michigan

ABSTRACT

This document contains a summary of all legislation enacted during the 1976 legislative session having implications for Michigan's educational programs. The summaries are listed in order according to their Public Law identifying number. The Senate or House Bill number and the day the law was effective are also included. Three bills vetoed by the Governor are summarized. (Author/MLF)

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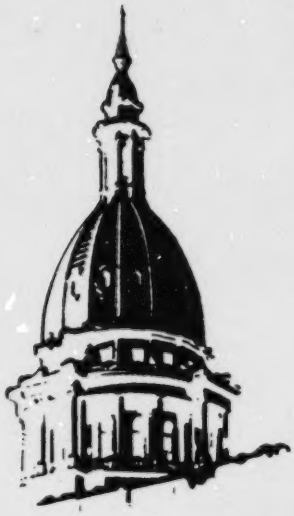

Summary of

EDUCATION LAWS ENACTED BY THE 1976 MICHIGAN LEGISLATURE

Michigan Department of Education

EA 010 011

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February, 1977

This document contains a summary of all legislation enacted during the 1976 legislative session having implications for Michigan's educational programs. Of particular importance was the enactment of Public Act 451, the School Code of 1976.

A reprint of the General School Laws is planned. This reprint will include the Michigan School Code of 1976, other statutes which have special pertinence to the education program (to be grouped in a section titled "miscellaneous statutes"), and the Administrative Code Rules which the Legislature by statute has authorized and directed the State Board of Education to promulgate.

This reprint will be available, hopefully, by the fall of 1977 and superintendents will be notified of its availability.

If you desire copies of public acts summarized in this document, please contact your legislator, or request the acts from either the Senate or House Document Room, State Capitol Building, Lansing, Michigan 48901.

The Department's Office of School Law and Legislation (Phone 517-373-3287) may be contacted for further information about public acts affecting education.

John W. Porter

MICHIGAN
THE GREAT LAKE STATE

TABLE OF CONTENTS

Public Act No.	Enrolled Bill No.	Subject	Page
10	SB-241	Food Services for Senior Citizens.....	1
20	HB-5340	State Aid Allocations to Intermediate School Districts.....	1
22	SB-583	Bingo Licenses - Nonprofit, Private Colleges.....	1
23	SB-679	Library Bonds; Raises Interest Rates.....	2
24	HB-5125	Driver Temporary Permits - Valid to Age 18.....	2
29	HB-5459	Use Tax Exemption - Parent Cooperative Preschools.....	2
33	HB-5461	Sales Tax Exemption; Parent Cooperative Preschools.....	2
35	HB-4872	Public School Employees Retirement - Added Service Credit.....	3
40	HB-5341	Transportation to Senior Citizens - Schools Permitted to Waive Expenses.....	3
42	SB-1153	Advisory Committee for Comprehensive Arts..	3
56	HB-4947	Vocational-Technical Education - Permits Option of Nonparticipation or Future Participation by Certain Districts.....	4
59	SB-1126	Earned Degree Payments - Nonpublic Institutions - Ceiling Removed.....	5
62	SB-1272	Supplemental Appropriation to Ferris State College.....	5
66	HB-5039	Elections; Recall of Elected Officials, Including School District Officers.....	5
68	SB-896	Interstate Agreement on Qualification of Educational Personnel.....	6

Public Act No.	Enrolled Bill No.	Subject	Page
104	HB-5667	Public School Employees Retirement - Excludes CETA Workers or Fulltime Students Employed by School Attended.....	6
105	HB-5886	Supplemental Appropriations - Capital Outlay for Postsecondary Institutions.....	7
107	HB-5930	Resolution Borrowing and Bonding Power - All School Districts.....	7
108	HB-6048	Assessment and Collection of Taxes - Payment of Collection Expenses by School Boards.....	8
109	HB-6132	State School Aid Act - Revises State Aid Guarantees.....	8
114	SB-1356	Special Registration Plates for Certain Nonprofit Organization Vehicles.....	8
122	SB-1173	Fiscal Year Change for State.....	9
129	HB-5879	Debt Retirement or Building and Site Levy Excesses in 1974-75 Applied to 1975-76 or 1976-77.....	9
140	HB-5613	School Elections - Petitions for Recount Procedure.....	9
141	HB-5614	School Elections - Petitions for Recount Procedures.....	10
142	SB-1273	Land Conveyance in Ionia County.....	10
143	SB-484	Parent Cooperative Preschools - Licensing and Teacher Certification.....	10
149	HB-4889	Permits Girls to Participate in Baseball...	11
154	SB-884	Michigan Internship Office.....	11
157	SB-725	Guidelines for Management and Use of Investments by Educational, Religious and Charitable Organizations.....	12
163	SB-1409	Higher Education Student Loan Authority - General Amendments.....	12

Public Act No.	Enrolled Bill No.	Subject	Page
167	HB-5937	Loans for Educational Purposes - Lender Disclosure	13
169	HB-5629	Political Activities by Public Employees	13
174	HB-4130	Free Tuition for North American Indians	14
199	HB-4942	Temporary Assignment of Public Employees	14
206	SB-1402	Fifth Quarter Appropriation - Institutions of Higher Education (Operations)	14
207	SB-1403	Fifth Quarter Appropriation - Community and Junior Colleges (Operations)	15
208	SB-1451	Fifth Quarter Appropriation - State School Aid	15
218	SB-1400	Fifth Quarter Appropriation - Department of Education	16
220	SB-749	Michigan Handicappers' Civil Rights Act	16
221	SB-1550	Extension of Deadline Date for Certification of 1976 Taxes Levied for Schools	17
228	HB-5411	Legislative Merit Award Program	17
229	HB-5981	Appropriations for Preliminary Studies and Planning of Proposed Building Projects - Postsecondary Educational Institutions	18
230	HB-6067	Borrowing and Bonding Authority of Schools Without Vote of the Electors; Levy of Operational Taxes on Attached Districts	18
231	SB-1313	Borrowing and Bonding Authority Without Vote of Electors - Intermediate School Districts	19
240	SB-558	State Building Authority - Construction of State Buildings Through Bonding	20
242	SB-1471	Preliminary Studies and Planning Of Proposed State Building Projects	20
244	SB-1346	Appropriation for Operation of Community and Junior Colleges	21

Public Act No.	Enrolled Bill No.	Subject	Page
245	HB-6097	Appropriation for Preliminary Planning and Construction of Community and Junior College Building Projects	22
248	HB-6110	Appropriation for Certain Capital Outlay Projects at State Colleges and Universities	23
249	SB-1344	Appropriation for Michigan Department of Education	24
250	SB-1345	Appropriation for Operation of Four-Year Institutions of Higher Education	26
258	SB-1473	State School Aid for the 1976-77 Fiscal Year	27
261	HB-6407	Tuition Formula - State Aid Act	30
267	SB-920	Open Meetings Act	30
275	SB-533	Dissolution of Consolidated School District	32
289	SB-619	Higher Education Institutions - Student Loan Program	33
310	HB-5524	Supplemental Appropriation - Including Funds for Paperback Library Programs	33
314	SB-1391	Scholarships - Tuition Grants to Parttime Students	33
319	HB-5791	Early Retirement - Public School Employees	33
325	SB-1321	Special Education Personnel - Employment of Discontinued Employees by Intermediate Districts	34
336	HB-6058	Public School Employees Retirement - Chapter 2; Redefines Compensation for Benefits	34
357	SB-122	Public School Employees Retirement - Military Service Credit; Cost-of-Living Adjustment	34
367	SB-1674	State Library - Depository for All State Documents	35

Public Act No.	Enrolled Bill No.	Subject	Page
374	SB-1431	State Board of Education - Amendments to Conform With the School Code of 1976....	35
388	SB-1570	Campaign Financing - Restricts Campaign Contributions and Expenditures; Creates State Campaign Fund.....	35
391	SB-1333	Public School Employees Retirement - Reporting Requirements; Inclusion of CETA Employees Under Certain Conditions....	36
393	SB-1640	Workers' Disability Compensation - Handicapped Persons Employed in Sheltered Workshops.....	36
400	SB-1709	School Bond Proceeds - Removes 15% Limitation Under Certain Conditions.....	37
401	SB-882	Community Colleges - Investments in Commercial Paper.....	37
406	HB-6193	Michigan Higher Education Assistance Authority - Membership Change.....	37
415	HB-6424	Scholarships to Each High School on Basis of Enrollment.....	38
417	SB-1367	Liquor Licenses - University Conference Centers.....	38
423	HB-4156	Student Membership on Community College Boards.....	38
424	SB-1740	Supplemental Appropriations - Unclassified Salaries and Extended School Year.....	39
428	HB-6232	Scholarships - Residency Requirements; Nongraduate Recipients; Residual Awards....	39
442	HB-6085	Freedom of Information Act.....	39
446	SB-1637	Declining Enrollment Appropriation.....	41
450	SB-1741	Community Colleges - Use of State Vehicles.....	42
451	SB-1435	School Code of 1976.....	42

Public Act No.	Enrolled Bill No.	Subject	Page
452	HB-6233	Tuition Grants - Residency Requirements....	42
453	HB-4055	Michigan Civil Rights Act.....	43
454	HB-4233	Mandatory School Lunch and Breakfast.....	43

VETOES

SB-1215	Michigan Commission for the Deaf.....	44
SB-1426	Grand Valley State Colleges - Name Change.....	44
HB-5501	Speed Limits Near Schools.....	44

Public Act 10. Food Services for Senior Citizens
- Effective February 19, 1976
(Enrolled Senate Bill 241)

Adds Compiled Law Section 340.581a (Section 581a of Act 269 of the Public Acts of 1955 - The Michigan School Code) to allow a school board to enter into a contract to provide material, personnel and equipment to establish and operate a low cost, nutritionally sound meal program for persons 60 years of age or older and their spouses.

Requires that receipts and expenditures be maintained separate from the school general fund and food service accounts to insure recovery of total program cost through a nominal charge to participants, through federal, state, local or private grants or reimbursement, or a combination thereof.

NOTE: Incorporated in School Code of 1976 as Sec. 1273, MCL § 380.1273.

Public Act 20. State Aid Allocations to Intermediate School Districts
- Effective February 26, 1976
(Enrolled House Bill 5340)

Amends Compiled Law Section 388.1181 (Section 81 of Act No. 258 of the Public Acts of 1972 - the Gilbert E. Bursley School District Equalization Act) to provide for a gross allocation to intermediate school districts of $10.1 million.

Funds individual intermediate districts by multiplying the number of pupils in constituent district membership by $8.87, reduced by .18 mill of the state equalized valuation of the property in the intermediate district. Reductions for districts having fixed allocations of less than .18 mill as a limitation, would be in the amount of the fixed allocation levied on the equalized valuation of the property in the intermediate district.

Provides, further, that no district will receive less than a 2% increase in 1975-76 (over 1974-75), nor more than a $1.50 increase per pupil in any year over the total state aid received in the previous year. For 1975-76 only, a district could not receive less total state aid, as a result of a computation or proration, than it did in 1974-75.

NOTE: Superseded by Sec. 81 in P.A. 258.

Public Act 22. Bingo Licenses - Nonprofit, Private Colleges
- Effective February 27, 1976
(Enrolled Senate Bill 583)

Amends Compiled Law Section 432.103 (Section 3 of Act No. 382 of the Public Acts of 1972 - the Traxler-McCauley-Law-Bowman Bingo Act) to add private, nonprofit colleges, approved by the State Board of Education, to the list of educational organizations qualified to obtain bingo licenses.

Public Act 23. Library Bonds; Raises Interest Rates
- Effective February 27, 1976
(Enrolled Senate Bill 679)

Amends Compiled Law Section 397.242 (Section 2 of Act No. 305 of the Public Acts of 1919 - An Act to Authorize the Issue of Bonds, to Provide Sites for and for the Erection Thereon of Public Libraries) to raise the interest rate on library bonds from 5% to the maximum rate permitted by the Municipal Finance Act.

Deletes the requirement that the bonds be issued under the seal of the city or village or be signed by the mayor and countersigned by the local financial officer, or, in the case of school districts, by the chairperson of the board.

Public Act 24. Driver Temporary Permits - Valid to Age 18
- Effective February 27, 1976
(Enrolled House Bill 5125)

Amends Compiled Law Section 257.306 (Section 306 of Act No. 300 of the Public Acts of 1949 - The Michigan Vehicle Code) to allow a student who has received a driver education certificate and driving permit to drive accompanied by a parent or guardian for the purpose of additional instruction until reaching the age of 18, without the need for periodic renewal of the permit.

Public Act 29. Use Tax Exemption - Parent Cooperative Preschools
- Effective March 5, 1976
(Enrolled House Bill 5459)

Amends Compiled Law Section 205.94 (Section 4 of Act No. 94 of the Public Acts of 1937 - The Use Tax Act) by exempting property and services sold to a parent cooperative preschool from the Use Tax Act. Requires that a school, to qualify for exemption, provide an educational and developmental program for children younger than compulsory school age, and programs for the parents which include active participation with the children, directed by qualified preschool personnel.

Requires that a parent cooperative preschool be licensed by the Department of Social Services under Public Act 116 of 1973.

NOTE: Public Act 33 of 1976 is a companion act.

Public Act 33. Sales Tax Exemption; Parent Cooperative Preschools
- Effective March 5, 1976
(Enrolled House Bill 5461)

Amends Compiled Law Section 205.54a (Section 4a of Act No. 167 of the Public Acts of 1933 - the General Sales Tax Act) to exempt goods,

property, and services sold to a parent cooperative preschool from the General Sales Tax Act.

The same definition and requirements of parent cooperative preschools would apply to this Act for parent cooperative preschools to be eligible for sales tax exemption, as those stated in Public Act 29 of 1976.

NOTE: Public Act 29 of 1976 is a companion act.

Public Act 35. Public School Employees Retirement - Added Service Credit
- Effective March 9, 1976
(Enrolled House Bill 4872)

Amends Compiled Law Sections 38.218 and 38.219 and adds Section 38.338a (Sections 18, 19 and 38a of Act No. 136 of the Public Acts of 1945 - the Public School Employees Retirement Act) to provide conditions under which a member of the Public School Employees Retirement System who retires and subsequently returns to work and renders 5 or more consecutive years of service to a public school system, may have their retirement allowance recomputed based on the additional service rendered.

NOTE: Questions concerning this Act should be directed to the Department of Management and Budget, Bureau of Retirement Systems, Cass Building, Lansing, Michigan 48909.

Public Act 40. Transportation of Senior Citizens - Schools Permitted to Waive Expenses
- Effective March 16, 1976
(Enrolled House Bill 5341)

Amends Compiled Law Section 340.598a (Section 598a of Act No. 269 of the Public Acts of 1955 - the Michigan School Code) to permit school districts to waive payment of expenses (mileage, insurance or other costs) incurred when school buses are used by senior citizens or retired persons.

Provides that school buses may be used if the school district board determines that other suitable public or private transportation is not available for transporting senior citizens.

NOTE: Incorporated in School Code of 1976 as Sec. 1333, MCL § 380.1333.

Public Act 42. Advisory Committee for Comprehensive Arts
- Effective March 16, 1976
(Enrolled Senate Bill 1153)

A new Public Act (Compiled Law Sections 388.1351 to 388.1356) to create within the Department of Education a 25 member advisory

committee on the development of comprehensive arts education programs for Michigan schools.

Requires that committee members be appointed by the State Board of Education, and outlines the membership terms and expense reimbursement.

Charges the committee with the responsibility of evaluating efforts and developments in comprehensive arts education programs and submitting its findings to the State Board and the State Legislature. Requires, further, that the committee recommend guidelines for comprehensive arts programs and experimental and developmental arts programs to the State Board of Education.

NOTE: This act will expire on December 31, 1978.

Public Act 56. Vocational-Technical Education - Permits Option of Nonparticipation or Future Participation by Certain Districts
- Effective March 24, 1976
(Enrolled House Bill 4947)

Amends Compiled Law Section 340.330t (Section 330t of Act No. 269 of the Public Acts of 1955 - The Michigan School Code) by providing options for nonparticipation and for future participation in area vocational-technical education programs for school districts with at least 18,000 students and districts of the first or second class.

Provides methods whereby a combination of 2 or more contiguous school districts containing at least 12,000 students can establish an area vocational-technical education program by resolutions of the boards of education if electors within an intermediate school district have failed to approve the creation of an area program.

Establishes funding methods for such programs on the same basis as vocational-technical education area programs operated at the intermediate school district level and permits designation, by board resolution, of specific amounts of either authorized operating millage or operating millage requested from the school electors, to be utilized solely for the area vocational-technical education program.

Allows a contiguous local school district to become part of an existing area vocational-technical education program with the approval of each participating school district, the intermediate district and the State Board of Education.

Further, allows participating school districts to elect to no longer participate in an established program or to elect to participate in such a program on the intermediate district level at a later time.

NOTE: Incorporated in School Code of 1976 as Sec. 690, MCL § 380.690.

Public Act 59. Earned Degree Payments - Nonpublic Institutions - Ceiling Removed
- Effective March 25, 1976
(Enrolled Senate Bill 1126)

Amends Compiled Law Section 390.1021 (Section 1 of Act No. 75 of the Public Acts of 1974 - An Act to Provide Payment to Approved Nonpublic Institutions of Higher Education for Earned Degrees) by eliminating a standard reimbursement figure and specifying that nonpublic institutions be reimbursed not less than $200 for each associate degree, and not less than $400 for each bachelor's or master's degree granted to a Michigan resident.

Eliminates double payments for persons earning both associate and bachelor's degrees by designating that payment for an associate degree be deducted from any payment for a bachelor's degree earned by an individual.

Permits payment of not less than $1,200 for each earned juris doctor law degree and baccalaureate or master's degree in nursing, medical technology, medical records administration, dietetics, and physician's assistant. Provides, further, for not less than $5,000 for each doctor of dental surgery or doctor of dental medicine degree.

Describes "nonpublic institutions" as "nonprofit" institutions for purposes of reimbursement, and expands the definition of "Michigan resident" to include those students who lived in Michigan at least 18 months prior to their first enrollment in a specified degree program or were a resident at the time of high school graduation.

Appropriations to support this Act are found in Public Act 250 of 1976.

Public Act 62. Supplemental Appropriation to Ferris State College
- Signed by Governor March 26, 1976
(Enrolled Senate Bill 1272)

Appropriates $962,000 to Ferris State College for allied health facilities. Specifies that funds are to be expended prior to June 30, 1976.

NOTE: This supplemental appropriation was necessary to partially restore funds lost as a result of a line item veto in Public Act 263 of 1975.

Public Act 66. Elections; Recall of Elected Officials, Including School District Officers
- Effective April 2, 1976
(Enrolled House Bill 5039)

Amends, adds, and repeals several sections in the General Election Laws (Act No. 116 of the Public Acts of 1954 - Michigan Compiled Law Sections 168.1 to 168.992) to alter procedures for recall of public officials.

Requires that petitions for recall be filed with the county clerk of the county where the largest portion of the registered voters in the electoral district of the official to be recalled reside.

Permits petition circulators to use their own recall petition if the form complies with that prescribed by the Secretary of State and bears certification of the circulator.

Restructures the methods and timelines presently used for calling a special election to fill a vacancy following a recall and prohibits an official from filling any vacancy in an elective office in the electoral district or governmental unit where the official was recalled during the same term in which the recall occurred.

Repeals MCL §168.953 and 168.956 which had been concerned with petition format and qualifications of signers.

NOTE: Questions concerning this Act should be directed to the Office of the Secretary of State, Elections Division, Lansing, Michigan 48918.

Public Act 68. Interstate Agreement on Qualification of Educational Personnel
- Effective April 5, 1976
(Enrolled Senate Bill 896)

A new Public Act (Compiled Law Sections 388.1371 to 388.1373) to provide a statutory authorization for the Department of Education to enter into an interstate agreement to facilitate reciprocity and the movement of teachers and other professional educational personnel between states by reducing barriers to such movement that may be contained in the certification codes of the states party to the agreement.

At the present time 25 states and the District of Columbia are members of the Interstate Teachers Pact including Alaska, California, Connecticut, Delaware, Florida, Hawaii, Idaho, Kentucky, Maine, Maryland, Massachusetts, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Utah, Virginia, Vermont and Wisconsin.

The agreement resulting from Public Act 68, covers the certification of all categories of teachers and is subject to renewal on September 30, 1979.

Public Act 104. Public School Employees Retirement - Excludes CETA Workers or Fulltime Students Employed by School Attended
- Effective May 2, 1976
(Enrolled House Bill No. 5667)

Amends Compiled Law Sections 38.223a, 38.312 and 38.314, adds Compiled Law Section 38.319b (Sections 23a of Chapter 1, and 12, 14 & 19b of

Chapter 2 of Act No. 136 of the Public Acts of 1945 - the Public School Employees Retirement Act) to exclude persons employed in a CETA program (Comprehensive Education Training Act - P.L. 93-203) and persons employed by a board of education, while enrolled as a fulltime student in the school, from membership in the Public School Employees Retirement Act.

Excludes, also, from Chapter 1 of the Public School Employees Retirement Act, persons that have elected the optional retirement system under Public Act 156 of 1967 (MCL § 38.381 to 38.388).

Denies service credit for persons for the time excluded from the Public School Employees Retirement Act, as a result of this legislative measure, if such person later becomes a member of the Public School Employees Retirement System.

Establishes under Chapter 2 (Detroit System), conditions similar to those in Chapter 1 (outstate system) for repaying refunds and purchasing credit for time spent in public school systems in other states.

Repeals sections 19 and 19a, Chapter 2 (MCL § 38.319, and 38.319a) which had previously provided for service credit.

NOTE: Questions concerning this Act should be directed to the Department of Management and Budget, Public School Employees Retirement System, Lansing, Michigan 48909.

Secs. 38.223a and 38.312 - superseded in P.A. 391.

Public Act 105. Supplemental Appropriations - Capital Outlay for Postsecondary Institutions
- Signed by Governor May 2, 1976
(Enrolled House Bill 5886)

An Act to make supplemental appropriations, including funds for capital outlay purposes for Lake Superior State College, Michigan State University, Michigan Technological University, Northern Michigan University, the University of Michigan at Flint, and Wayne State University. Specifies that the supplemental appropriation must be expended for specific projects during the 1975-76 fiscal year.

Public Act 107. Resolution Borrowing and Bonding Power - All School Districts
- Effective May 2, 1976
(Enrolled House Bill No. 5930)

Amends Compiled Law Section 340.681 (Section 681 of Act No. 269 of the Public Acts of 1955 - the Michigan School Code) to allow all school districts (including local or special act districts) to borrow

money or issue bonds, without a vote of the electors, providing the total outstanding bonded indebtedness of the district does not exceed 5% of the state equalized valuation of the taxable property within the district.

NOTE: Incorporated in School Code of 1976 as Sec. 1351, MCL § 380.1351.

Public Act 108. Assessment and Collection of Taxes - Payment of Collection Expenses by School Boards - Effective May 2, 1976 (Enrolled House Bill 6048)

Amends Compiled Law Sections 340.641a and 340.642a (Sections 641a and 642a of Act No. 269 of the Public Acts of 1969 - the Michigan School Code) by correcting a technical error in the School Code to eliminate the requirement that local boards of education pay for assessment and collection of school taxes if such taxes were assessed and collected by a township prior to December 31, 1974.

NOTE: Incorporated in School Code of 1976 as Secs. 1611 and 1612; MCL § 380.1611 and 380.1612.

Public Act 109. State School Aid Act - Revises State Aid Guarantees - Effective May 2, 1976 (Enrolled House Bill 6132)

Amends Compiled Law Sections 388.1243 and 388.1244 (Sections 143 and 144 of Act No. 258 of the Public Acts of 1972 - The Gilbert E. Bursley School District Equalization Act) by deleting any provision whereby the guaranteed 6% per-pupil increase is affected by a millage increase in a district. (These sections were added to the State School Aid Act in 1975 to compensate districts to some degree for local moneys lost by repeal of the business "inventory" tax.) Establishes a 1975-76 base for computation of state school aid which would result in guaranteeing school districts no loss in state dollars if they are successful with local millage elections.

NOTE: Superseded by Secs. 143 and 144 in P.A. 258.

Public Act 114. Special Registration Plates for Certain Nonprofit Organization Vehicles - Effective May 14, 1976 (Enrolled Senate Bill 1356)

Amends Compiled Law Sections 257.224 and 257.801 (Sections 224 and 801 of Act No. 300 of the Public Acts of 1949 - the Michigan Vehicle

Code) to permit the sale of special registration plates for buses, station wagons, or carryalls owned and operated by nonprofit rehabilitation facilities or senior citizen centers, at $5.00 per set.

Requires that vehicles carrying these licenses be used exclusively for the activities of the organization and be designated by proper signs showing the organization operating the vehicle.

Expiration of these registration plates occurs on December 31, in the fifth year following the date of issuance.

Public Act 122. Fiscal Year Change for State - Effective May 14, 1976 (Enrolled Senate Bill 1173)

Amends Compiled Law Sections 21.91 to 21.92 (Sections 1 and 2 of Act 116 of the Public Acts of 1887 - An act to change the termination of the fiscal year of the state from September thirtieth to June thirtieth) to provide that the 1975-76 fiscal year close on September 30, 1976 (rather than June 30, 1976) and that the following fiscal years be observed:

Fiscal Year 1976-77	October 1 through September 30
Fiscal Year 1977-79	October 1 through June 30
Fiscal Year 1979-80 and thereafter	July 1 through June 30

Public Act 129. Debt Retirement or Building and Site Levy Excesses in 1974-75 Applied to 1975-76 or 1976-77 - Effective May 26, 1976 (Enrolled House Bill 5879)

Amends Compiled Law Section 388.1127 (Section 27 of Act No. 258 of the Public Acts of 1972 - the Gilbert E. Bursley School District Equalization Act) by adding a new subsection (10) to permit the Department of Education to disallow deductions from state aid made or required to be made due to excess debt retirement or building and site levies in 1974-75, providing that any funds received from excess debt retirement or building and site levies in 1974-75 have been applied to debt retirement and building and site obligations for either 1975-76 or 1976-77, or both.

NOTE: Superseded by Sec. 27 in P.A. 258.

Public Act 140. School Elections - Petitions for Recount Procedures - Effective June 2, 1976 (Enrolled House Bill 5613)

Amends Compiled Law Section 340.517 (Section 517 of Act No. 269 of the Public Acts of 1955 - the Michigan School Code) to make it possible

for a single candidate in the case of an election for office in other than a primary school district, or a single voter, in the case of a question or proposition, to petition for a recount of votes cast. (Previously, such a petition required signatures equal to at least 10% of the votes cast.)

NOTE: Public Act 141 of 1976 is a companion act.

Incorporated in School Code of 1976 as Sec. 1021, MCL § 380.1021.

Public Act 141. School Elections - Petitions for Recount Procedures - Effective June 2, 1976
(Enrolled House Bill 5614)

Amends Compiled Law Sections 168.862 and 168.863 (Sections 862 and 863 of Act No. 116 of the Public Acts of 1954 - the Michigan Election Law) to allow a candidate for school board office, except in primary school districts, to petition for a recount of votes. (The Election Law, MCL § 168.867 requires a $5.00 fee for each precinct for which votes are to be recounted.)

Stipulates that a registered voter in a school district, other than a primary district, may petition for a recount in an election involving an amendment or proposition by following the same procedure. Brings rights of school electors and school board candidates for recount of votes into compliance with those of other elected officials and governmental unit electors.

NOTE: Public Act 140 of 1976 is a companion act.

PUblic Act 142. Land Conveyance in Ionia County - Effective June 8, 1976
(Enrolled Senate Bill 1273)

A new Public Act to convey certain state owned land to the Ionia Intermediate School District to be used for special education programs and services. Failure of the intermediate district to construct special education program facilities within 10 years shall cause the land to be reverted immediately to the state.

Public Act 143. Parent Cooperative Preschools - Licensing and Teacher Certification - Effective March 31, 1977
(Enrolled Senate Bill 484)

A new Public Act (Michigan Compiled Law Sections 388.1021 to 388.1024) to license and regulate parent cooperative preschools.

Defines "parent cooperative preschool" as a nonprofit, nondiscriminatory institution, maintained as a community service and administered by parents of children currently enrolled in the preschool, which provides the educational and developmental program for children younger than compulsory school age and which provides an educational program for parents, including parental participation with children in preschool activities.

Requires the Department of Education to license a parent cooperative preschool if the school is licensed by the Department of Social Services as a child care organization under Act No. 116 of 1973, as amended (MCL § 722.111 to 722.128), and if the school employs at least one qualified parent cooperative preschool teacher.

Specifies requirements for certification by the Department of Education as a parent cooperative preschool teacher and allows successful teacher experience of qualified parent cooperative preschool teachers to count toward continuing certification under certain conditions.

Public Act 149. Permits Girls to Participate in Baseball - Effective June 16, 1976 (Enrolled House Bill No. 4889)

Amends Compiled Law Section 340.379 (Section 379 of Act No. 269 of the Public Acts of 1955 - the Michigan School Code) by adding baseball to the list of noncontact sports in which girls are permitted to participate.

Removes the requirement that the Superintendent of Public Instruction report to the Legislature, prior to each session, the activities of any association, organization, or league of which he is an ex-officio member, and recommend legislation deemed necessary for the promotion of sports.

Provides that a girl shall be permitted to compete for a team position in any noncontact interscholastic athletic activity.

NOTE: Incorporated in School Code of 1976 as Sec. 1289, MCL § 380.1289.

Public Act 154. Michigan Internship Office - Effective June 17, 1976 (Enrolled Senate Bill 884)

A new Public Act (Michigan Compiled Law Sections 390.1201 to 390.1207) to permit creation of the Michigan Internship Office within the Department of Civil Service and to conduct a Michigan internship program to provide opportunities for postsecondary students to learn through participation in governmental affairs.

Creates an advisory board to the Michigan Internship Office, consisting of 12 members, 4 of whom shall represent the Department of Education, 4 to represent postsecondary institutions, and 4 to represent the Department of Civil Service.

Questions concerning this Act should be directed to the Department of Civil Service, Lansing, Michigan 48913.

Public Act 157. Guidelines for Management and Use of Investments by Educational, Religious and Charitable Organizations - Effective June 17, 1976
(Enrolled Senate Bill 725)

A new Public Act (Michigan Compiled Law Sections 451.1201 to 451.1210) establishing guidelines specifically for the management and use of funds held by charitable (eleemosynary) organizations.

Incorporated and unincorporated educational, religious, and charitable institutions, and governmental organizations are covered by this Act to the extent that they hold funds exclusively for charitable purposes.

Applies only to institutional funds for which a governing board is trustee, and the beneficiary is a charitable institution.

NOTE: Questions concerning this Act should be directed to the Office of the Attorney General, Lansing, Michigan 48913.

Public Act 163. Higher Education Student Loan Authority - General Amendments - Effective June 21, 1976
(Enrolled Senate Bill 1409)

Amends Compiled Law Sections 390.1154 and 390.1155 (Sections 4 and 5 of Act No. 222 of the Public Acts of 1975 - An Act to Establish the Michigan Higher Education Student Loan Authority) by making several technical amendments to permit the Michigan Higher Education Student Loan Authority to lend money to students for the purpose of refinancing or consolidating their loans; and permits the Authority to sell student obligations.

Clarifies the Authority's power to participate in federal student loan programs, and permits the Authority to issue serial or term bonds, or both, if serial bonds are payable either semi-annually or annually.

Repeals section 14 of P.A. 222 of 1975 which required an advisory opinion from the Supreme Court regarding constitutionality of the Act. Request for opinion was denied.

Public Act 167. Loans for Educational Purposes - Lender Disclosure - Effective June 25, 1976 (Enrolled House Bill 5937)

A new Public Act (Michigan Compiled Law Sections 390.1221 to 390.1224) to require lenders of financial assistance to students for educational purposes, including colleges and universities, to disclose complete repayment options to students that borrow under any educational loan program which is supported, guaranteed or regulated by any state or federal agency. Specifies conditions under which disclosures shall be made.

Public Act 169. Political Activities by Public Employees - Effective June 25, 1976 (Enrolled House Bill 5629)

A new Public Act (Michigan Compiled Law Sections 15.401 to 15.407) permitting certain political activities by employees of the state classified civil service and by employees of political subdivisions who are not elected officials, unless specifically prohibited or restricted by federal law or regulation.

Allows an employee of political subdivisions to become a member of a political party committee, serve as a delegate to a state, district or county convention and, under certain conditions, to be a candidate for any state, county, city, village, township, school district, or other local elective office.

Permits employees of political subdivisions to engage in political activities on behalf of a candidate or issue in connection with partisan or nonpartisan elections.

Requires a public employee of a school district, who is elected to an office within the school district, either to resign or be granted a leave of absence from employment during the elected term.

Requires that participation by public employees in political activities not be conducted during paid working hours.

Prohibits public employers or employees from attempting to coerce or command contributions or assistance benefiting a candidate for office or for the purpose of furthering or defeating a proposed law, or influencing a vote on a ballot question, or other measure that may be submitted to a vote of the electors.

Outlines procedures to follow if an employee's rights under this Act are violated.

Public Act 174. Free Tuition for North American Indians - Effective August 1, 1976 (Enrolled House Bill 4130)

A new Public Act (Compiled Law Sections 390.1251 to 390.1253) to provide free tuition for academically qualified, full-time North American Indian students at public state community or junior colleges and other public institutions of higher education.

Defines "North American Indian" to mean a person that is not less than 1/2 quantum blood Indian as verified by the Michigan Commission on Indian Affairs.

Requires that the North American Indian student be a legal resident of Michigan for not less than 18 consecutive months and a graduate of a high school.

Public Act 199. Temporary Assignment of Public Employees - Effective July 23, 1976 (Enrolled House Bill 4942)

A new Public Act (Compiled Law Sections 15.501 to 15.512) to establish procedures for the temporary transfer of employees between state agencies, federal agencies, institutions of higher education and other local units of government (including school districts - local and intermediate), both in Michigan and in other states.

Outlines procedures which both the sending agency and receiving agency must follow in making the transfers and providing salary and benefits.

Limits time to be on temporary assignment to 2 years. Requires Civil Service Department to promulgate rules of implementation.

Public Act 206. Fifth Quarter Appropriation - Institutions of Higher Education (Operations) - Signed by Governor on July 27, 1976 (Enrolled Senate Bill 1402)

Appropriates $109,657,000 to state institutions of higher education for the period July 1, 1976 through September 30, 1976.

Includes moneys for special grants including state competitive scholarships and state tuition grants.

All appropriations contained in this act are subject to the terms, directives, and conditions included in Act No. 263 of 1975 (the appropriation act for 1975-76).

Public Act 207. Fifth Quarter Appropriation - Community and Junior Colleges (Operations)
- Signed by Governor on July 27, 1976
(Enrolled Senate Bill 1403)

Appropriates $22,731,146 to community and junior colleges for the period beginning July 1, 1976 and ending September 30, 1976.

Requires that appropriations be paid to the community and junior colleges in three monthly installments, and that the same terms, directives and conditions be followed as those included in Act No. 258 of 1975 (appropriation act for 1975-76).

Public Act 208. Fifth Quarter Appropriation - State School Aid
- Signed by Governor on July 27, 1976
(Enrolled Senate Bill 1451)

Amends Compiled Law Sections 388.1111, 388.1117, 388.1123 and 388.1273 (Sections 11, 17, 23, and 173 of Act No. 258 of the Public Acts of 1972 - the Gilbert E. Bursley School District Equalization Act) to appropriate funds to public and intermediate school districts for the period beginning on July 1, 1976 and ending September 30, 1976.

Allocates, for August 1, 1976 distribution only, an amount equal to 1/6 of the amounts (according to a formula) received by the local and intermediate districts during the period July 1, 1975 to June 30, 1976, but not including amounts received under Section 27 (Debt Service Obligations), Section 46 (Neighborhood Education Authority), Section 47 (Academically Talented) and Section 49 (Experimental Projects and Feasibility Studies to Improve Instructional Methods).

Provides that distributions made under this act for the period October 1, 1976 to June 30, 1977, be adjusted to provide that the complete 1976-77 school year of every local and intermediate district be funded at the level and on the basis of the State School Aid Act, as amended by Public Act 258 of 1976 (Enrolled SB-1473).

Specifies that the amount distributed on August 1st be considered for state accounting purposes to be allocated for the months of August and September, and that all funds allocated to districts be considered as allocated for school district use within the school district fiscal year in which the payments are received.

Requires the Department of Education to disburse school aid, based on a $1,282 allowance per membership pupil in 1975-76 and a $1,125 allowance per membership pupil in 1976-77, to the Department of Corrections for all inmate pupils enrolled in K-12 educational programs.

Appropriates $257,470,000 for public school employees retirement for the fiscal year ending September 30, 1976, and $251,600,000 for retirement purposes for the fiscal year ending September 30, 1977.

NOTE: The Governor vetoed a line item amount of $34,600,000 which was appropriated for the Detroit public school employees retirement system restoration of contingency reserves.

See Public Acts 20, 109, 125, 258 and 261, for additional State School Aid Act Amendments

Sections 11, 23, and 173 superseded by P.A. 258.

Public Act 218. Fifth Quarter Appropriation - Department of Education - Signed by the Governor on July 27, 1976 (Enrolled Senate Bill 1400)

Appropriates $5,068,600 to the Department of Education for the period beginning July 1, 1976, and ending September 30, 1976.

Specifies that an encumbrance entered into after September 15, and outstanding at the close of the fiscal year not be considered a charge against that fiscal year, but lapse as of the close of the fiscal year and be charged to the next succeeding fiscal year.

Requires that the appropriations contained in this act be subject to the same terms, directives and conditions included in Public Act 252 of 1975 (appropriation act for 1975-76).

Public Act 220. Michigan Handicappers' Civil Rights Act - Effective March 31, 1977 (Enrolled Senate Bill 749)

A new Public Act (Compiled Law Sections 37.1101 to 37.1605) granting civil rights protections to handicapped persons in the areas of employment, housing, public accommodations, public services, and education.

Defines "handicap" as a determinable physical or mental characteristic of an individual or a history of a characteristic which may result from disease, injury, congenital condition of birth, or functional disorder which is unrelated to an individual's ability to perform the duties of a particular job, to utilize and benefit from a place of public accommodation or service, to utilize and benefit from educational opportunities, programs and facilities at an educational institution, or to acquire, rent, or maintain property.

Prohibits an employer from refusing to hire, promote, or classify a person because of a handicap, or to fire an individual when the handicap is not related to the job or when adaptive devices or aids may be utilized. Labor organizations are also prohibited from discriminatory actions.

Prohibits denial of public accommodations, and requires private establishments to make available goods or services that are available generally to customers.

Requires full utilization of, or benefit from, educational institutions by handicapped persons, if the handicap is unrelated to the individual's ability to utilize and benefit from the institution or its services.

Permits educational institutions to adopt and carry out a plan to eliminate present effects of past discriminatory practices or assure equal opportunity with respect to individuals who have handicaps if the plan is filed with and has the approval of the Civil Rights Commission.

Prohibits any person engaging in real estate transactions from discriminating on the basis of a handicap that is unrelated to the individual's ability to acquire, rent, or maintain property. Also prohibits discrimination for use by an individual of adaptive devices or aids.

Specifies procedures for correcting acts of noncompliance of this Act.

NOTE: This Act is administered by the Department of Civil Rights, Lansing, Michigan 48913.

Public Act 221. Extension of Deadline Date for Certification of 1976 Taxes Levied for Schools
- Effective July 29, 1976
(Enrolled Senate Bill 1550)

Amends Compiled Law Section 211.36 (Section 36 of Act No. 206 of the Public Acts of 1893 - the General Property Tax Act) to permit school millages voted on or before the second Tuesday of November in 1976 to be certified for collection with 1976 taxes.

Public Act 228. Legislative Merit Award Program
- Effective August 4, 1976
(Enrolled House Bill 5411)

A new Public Act (Compiled Law Sections 390.1301 to 390.1307) which establishes a legislative merit award program to encourage academic excellence and foster the pursuit of higher education.

Authorizes the Michigan Higher Education Assistance Authority to award up to 1,000 scholarships annually in the amount of $1,000 to

the top 1,000 scorers on a national examination, designed by the Authority, without regard to the financial circumstances of the students or their families, and without reference to other aid for which the student may qualify.

Requires recipients to be residents of the state at the time of graduation from high school, not enrolled in a postsecondary institution at the time of the scholarship examination, but enrolled in a recognized postsecondary educational institution within 4 years after graduation from high school.

Specifies certain conditions which must be met by the student prior to receiving scholarship moneys under this Act.

Requires the Michigan Higher Education Assistance Authority to promulgate rules to implement the Act.

Public Act 229. Appropriations for Preliminary Studies and Planning of Proposed Building Projects - Postsecondary Educational Institutions
- Signed by the Governor August 4, 1976
(Enrolled House Bill 5981)

Appropriates $1,000,000 for preliminary studies and planning of proposed building projects at certain state institutions for the 1976-77 fiscal year, including serveral institutions of higher education.

Requires authorization by the Joint Capital Outlay Subcommittee of the Senate and House Appropriations Committees prior to any expenditures.

Public Act 230. Borrowing and Bonding Authority of Schools Without Vote of the Electors; Levy of Operational Taxes on Attached Districts
- Effective August 4, 1976
(Enrolled House Bill 6067)

Amends Compiled Law Sections 340.77a, 340.115, 340.158, 340.220a, 340.298b, 340.441 and 340.681 (Sections 77a, 115, 158, 220a, 298b, 441 and 681 of Act No. 269 of the Public Acts of 1955 - the Michigan School Code) to prohibit school districts of the first, second, third and fourth class, and local or special act districts, from making loans or issuing bonds for a sum which, together with the total outstanding bonded indebtedness of the district, exceeds 5% of the 1975 state equalized valuation of taxable property in the district, or the state equalized valuation of taxable property in the district for the year in which the bonds are issued, without a vote of the electors, thus maintaining the borrowing power of the schools at the level which existed before business inventories were excluded from state equalized valuation.

Prohibits intermediate school districts from making loans or issuing bonds for a sum which, together with the total outstanding bonded indebtedness of the intermediate district, exceeds 1/9th of 1% of the state equalized valuation of the taxable property within the district. NOTE: This section later was nullified when Public Act 231 of 1976 was signed by the Governor.

Permits school boards to levy taxes on attached territory as of the date of the attachment, except taxes which are levied for the retirement of outstanding bonded indebtedness.

(Amendment to Sec. 298b in this Act is superseded by P.A. 231.)

NOTE: Incorporated in School Code of 1976 as Secs. 144, 251, 335, 442, 629, 922, 1351 and 1356, MCL §§ 380.144, 380.251, 380.335, 380.442, 380.629, 380.922, 380.1351, and 380.1356.

Public Act 231. Borrowing and Bonding Authority Without Vote of Electors - Intermediate School Districts - Effective August 4, 1976 (Enrolled Senate Bill 1313)

Amends Compiled Law Section 340.298b (Section 298b of Act 269 of the Public Acts of 1955 - the Michigan School Code) by clarifying language relative to the right of intermediate school district boards to borrow for specific capital outlay projects, including sites, through the issuance of resolution bonds. Includes construction of vocational and special education facilities among projects.

Specifies that bonds authorized by a vote of the school electors for special education or area vocational-technical education facilities not be included in computing the 1/10th of 1% of state equalized valuation total outstanding bonded indebtedness.

Permits intermediate school boards to sell, exchange, or lease any real or personal property of the district which is no longer needed for school purposes.

Allows intermediate school boards to sell or convey land for highway purposes and to grant easements for public utilities when deemed necessary by the board.

(Amendment to Sec. 298b supersedes that in P.A. 230.)

NOTE: Incorporated in School Code of 1976 as Sec. 629, MCL § 380.629, but revised to provide borrowing power of 1/9th of 1% of the state equalized valuation.

Public Act 240. State Building Authority - Construction of State Buildings Through Bonding - Effective September 30, 1976 (Enrolled Senate Bill 558)

Amends Compiled Law Sections 830.411 to 830.424 (Sections 1 to 14) and adds Sections 830.411a, 830.319a, 830.421a and 830.425 (Sections 1a, 9a, 11a and 15) of Act No. 183 of the Public Acts of 1964 - the State Building Authority Act) by providing procedures for an established (but unused) State Building Authority.

Allows construction of state buildings (includes higher education institutions) through bonding, following approval by the Legislature of all building projects, property conveyances and leases.

Requires that bonds be repaid within 20 year period.

Requests an advisory opinion of the Supreme Court as to the constitutionality of the Act. If the advisory opinion finds any portion of the Act, as amended, to be invalid, the entire act shall be invalid.

(Public Act 242 of 1976 (Enrolled Senate Bill 1471) is a companion act.)

Public Act 242. Preliminary Studies and Planning of Proposed State Building Projects - Effective August 8, 1976 (Enrolled Senate Bill 1471)

A new Public Act (Compiled Law Sections 830.501 to 830.505) to require authorization by both the Director of the Department of Management and Budget and the Joint Capital Outlay Subcommittee for the expenditure of moneys appropriated for preliminary studies and planning of buildings and facilities.

Authorizes the Joint Subcommittee to direct agencies to furnish reports, financial data, and other information as deemed necessary. The Joint Subcommittee and the Director of the Department of Management and Budget shall jointly determine priority of projects to be studied and planned. The Director of the Department of Management and Budget shall establish appropriate project accounts and the Subcommittee may allocate funds to the accounts.

Does not commit the Legislature to appropriate funds for the complete plans or construction of any project based on any preliminary studies and plans.

Provides a method of funding professional and other services necessary to (1) compile the statistics and information required to define and justify need for projects, (2) prepare scale drawings, (3) provide

an estimate of the cost to complete for use, with statements as to funds to be required for operation of the facility, and (4) determine the use to which any areas to be vacated will be put, and the cost of renovation.

Requires that any land or buildings and facilities to be constructed for, and leased by, the state in accordance with the State Building Authority Act, shall be programmed and planned in accordance with provisions of this new public act.

(Public Act 240 of 1976 (Enrolled Senate Bill 558) is a companion act.)

Public Act 244. Appropriation for Operation of Community and Junior Colleges - Effective for the 1976-77 Fiscal Year, Ending September 30, 1977 (Enrolled Senate Bill 1346)

Appropriates $101,574,741 of state moneys for the operation of community and junior colleges. The appropriation includes a total of $1,475,600 for the replacement of single business tax revenue. Appropriations were calculated on the equated student enrollments for the 1976 calendar year.

Provides procedures to be followed in determining enrollments to be certified for state aid payment. Mandates reports to be furnished the House and Senate Fiscal Agencies and the Appropriations Committee of the Legislature providing information in the determination of revenue needs and use of funds provided.

Provides an amount for "avocational education" for each college, and mandates that the Department of Education identify avocational and leisure-time community and junior college courses designed to convey recreational and hobby skills, and report to the Legislature and the Office of the Budget by December 1, 1976. The enrollment count for payment shall not include enrollments in courses identified as avocational and leisure-time.

Provides, further, that the following shall not be included in a college's enrollment count for state aid payments: (1) student credit hour of students enrolled in noncredit courses, apprenticeship training programs operated as part of the itinerant instructors program, credit by examination, or courses in which the instruction costs are fully funded by federal or other revenue sources, and (2) students enrollment in comprehensive employment training act programs when reimbursement through federal programs is not based on tuition.

Prohibits a college from not allowing a student to drop courses during an enrollment period by (1) eliminating drop procedures during an enrollment period, or (2) developing a refund schedule not providing for the reimbursement of funds for courses dropped during the enroll-

ment period. Defines "enrollment period" as 1/10 of the total number of class days for any academic period.

Mandates each college to establish and maintain procedures for verifying each student's residency.

Requires the State Board for Community and Junior Colleges to coordinate a cooperative effort by the 29 community colleges, the Senate and House Fiscal Agencies, and the Department of Management and Budget to develop recommendation alternatives for funding support to community college education. A final report shall be submitted to the Governor and both Appropriations Committees of the Legislature not later than February 1, 1977.

Provides that state operating funds to community college districts in the 1977-78 fiscal year shall be based on a maximum annual enrollment growth of 12%.

Further, the differential gross allowance amounts between community colleges operating as part of a K-12 school system and all other community colleges shall be eliminated over a 3-year period beginning with the 1976-77 fiscal year.

Public Act 245. Appropriation for Preliminary Planning and Construction of Community and Junior College Building Projects
- Effective for the 1976-77 Fiscal Year, Ending September 30, 1977
(Enrolled House Bill 6097)

Appropriates $100,000 for preliminary planning of proposed building projects at named community and junior colleges.

NOTE: Entire amount was vetoed by the Governor.

Appropriates $2,000,000 for the construction of the following building projects: Delta College (allied health building - $750,000; Macomb County Community College (south campus and campus center, remodeling and special maintenance of various classroom buildings) - $300,000; Northwestern Michigan Community College (health and education center) - $200,000; and Washtenaw Community College (library classroom facility) - $750,000.

NOTE: The total amount appropriated was reduced by $300,000 by Governor veto of the Macomb County Community College appropriation, which was a new construction authorization.

Provides that state support be directed toward the remodeling or construction of junior and community college buildings. Site acquisitions and initial main utility installation to operate facilities shall be the responsibility of the district. Funding shall be comprised of local and state shares, and the state share shall include 50% of any federal funds awarded.

Spells out the approval procedures to be followed by institutions, and the steps to be taken relative to construction bids and building costs. Provides that the unobligated balance of any appropriation shall revert to the general fund of the state.

Requires that a sign of appropriate dimensions be prominently displayed at the construction site of projects costing more than $500,000. The sign shall state the project title, the total project cost, the amount authorized to be appropriated from state funds, and the amount of federal or other grants, if any.

Prohibits the letting of a contract for a self-liquidating, gift, grant or institutionally funded project expected to cost more than $100,000 unless the project is authorized by the Legislature in a concurrent resolution. Sets forth the steps to be followed preliminary to a concurrent resolution.

Permits the Bureau of Facilities, Department of Management and Budget, to augment its operating funds with construction project funds for the necessary review and inspection of projects, by an amount not to exceed 1% of the project appropriations.

Reappropriates from the balances contained in Public Act 93 of 1973 to complete construction of the remodeling for the Curtice and Mott Buildings -- Phase I at Charles Stewart Mott Community College, the sum of $75,000 to complete construction of Phase II of the project. The total estimated cost for Phase II is $2,691,000, and the maximum state share (including federal funds) is $794,000.

Public Act 248. Appropriation for Certain Capital Outlay Projects at State Colleges and Universities - Effective for the 1976-77 Fiscal Year, Ending September 30, 1977 (Enrolled House Bill 6110)

Appropriates $22,119,000 for designated building projects at the following state-supported institutions of higher education: Lake Superior State College (campus utilities and site development) - $500,000; Michigan Technological University (Phase II, campus utilities, oil storage tanks) - $700,000; Northern Michigan University (vocational skills center) - $150,000; Oakland University (replacement of existing east campus water main system) - $233,000; University of Michigan--Flint Campus (classroom office building, central heating and cooling plant--Phase I) - $6,166,000; Wayne State University (University clinics building) - $14,070,000; and Western Michigan University (campus utilities expansion) - $300,000.

NOTE: The total amount appropriated for higher education was reduced by $453,000, and included deletion of $150,000 for Northern Michigan University, $233,000 for Oakland University, and $70,000 for the Wayne State University Mortuary Science Program Parking Lot. These were all new construction authorizations.

Sets forth the steps for building project review and approval, letting of bids, preliminary planning, and letting of contracts.

Provides that the unobligated balance of any appropriation shall revert to the general fund of the state.

Permits the Department of Management and Budget to augment its operating funds with construction project funds for professional services and administration and supervision of projects, by an amount not exceeding 1.5% of the amount appropriated for each individual project.

Requires that a sign of appropriate dimensions be prominently displayed at construction sites of projects costing more than $500,000. The sign shall state the project title, the total project cost, the amount authorized to be appropriated from state funds, and the amount of federal or other grants, if any.

Prohibits the letting of a contract for construction of a self-liquidating, gift, grant or institutionally funded project estimated to cost more than $100,000 at any state-supported higher education institution unless the project is authorized by the Legislature in a concurrent resolution.

Public Act 249. Appropriation for Michigan Department of Education - Effective for the 1976-77 Fiscal Year, Ending September 30, 1977 (Enrolled Senate Bill 1344)

Appropriates operating budget moneys for the State Board of Education and the Michigan Department of Education.

Provides for the disbursement of grants to individuals and institutions through the administration of the Department of Education, as follows:

	$
State Board of Education	
Education Commission of the States	27,800
Detroit desegregation monitoring commission	200,000
School Management Services	
School lunch program--state share	3,296,000
School lunch program--federal share	45,223,000
Driver Education	5,550,000
General Education Services	
Elementary and Secondary Education Act, Title IV-B	6,250,800
Elementary and Secondary Education Act, Title IV-C	5,635,800
Paperback Libraries	400,000
Neighborhood education centers	500,000
Compensatory Education Services	
Elementary and Secondary Education Act, Title I	80,417,000
Elementary and Secondary Education Act, Title I migrant	4,146,800

Special Education Services	
Elementary and Secondary Education Act, Title VI-B...	4,100,000
Elementary and Secondary Education Act, Title VI-B statewide projects.....	100,000
Midwest regional center.....	1,047,800
Great Lakes area resources center.....	368,300
Library Services	
State aid to libraries.....	4,431,000
Library Services and Construction Act, Title I.....	792,300
Library Services and Construction Act, Title III.....	40,000
Wayne County library for the blind.....	50,000
Vocational Education Services	
Vocational Education Act.....	19,800,000
Rehabilitation Services	
Vocational Rehabilitation facility.....	2,070,000
Vocational Rehabilitation client services.....	12,127,800
Teacher Certification	
Teacher professional development centers program.....	430,000
Adult Education Services	
Comprehensive Employment and Training Act.....	4,000,000
Adult basic education.....	2,272,600
Higher Education Act, Title I.....	392,000
Apprentice training program.....	107,200
Total $	203,776,200

Requires that the Department of Education prepare for the State Budget Director, the Senate and House Appropriations Committees, and the Senate and House Fiscal Agencies, a statement establishing the key resource and performance data to be used during implementation to demonstrate the efficiency and effectiveness of each program or project for which there shall be an allotment of funds.

Provides that when it appears to the agency that a program will not meet the performance commitments as submitted to the Legislature, a written report shall be submitted to the Senate and House Appropriations Committees setting forth a detailed explanation as to why the program will not meet the anticipated level of productivity and justification as to why the commitments cannot be met.

Sets forth requirements for reporting of employee data, conferences or seminars involving more than 10 state employees collectively from the Department, costs incurred in preparing mandated environmental impact statements and other costs related to environmental programs, itemization or expenditures, grants or transfers, and private contractual services.

Appropriates to the State School Aid Fund from the general fund of the State for the fiscal year ending September 30, 1977, the sum necessary to pay the full amount of state aid for schools as authorized by the State School Aid Act (Public Act 258 of 1972, as amended).

Allocates to the Department of Education moneys for the Apprenticeship Training Program.

Provides that the educational employees of the Michigan School for the Blind and the Michigan School for the Deaf, and the State Technical and Rehabilitation Institute shall be considered annual employees and so compensated.

Requires an annual review and evaluation of the Community School Programs funded under the State School Aid Act.

Provides that a position created and fully funded by federal funds shall not be continued as a state funded position when the federal funds are discontinued or cut so that the federal funds will not sustain the position 100%.

Sets the conditions for disbursement of $400,000 for grants for Paperback Libraries housed in reading rooms or reading centers in schools to stimulate and sustain student interest in reading and to encourage students to use and expand reading skills. Paperback libraries shall be considered an auxiliary service under provisions of Section 1296 of the School Code of 1976.

Requires that funds under Title III, National Defense Education Act, shall be allocated first to provide the maximum possible funding to Regional Media Centers, with the balance allocated to other educational agencies.

Provides that of the $430,000 appropriated for Teacher Professional Development Centers, $380,000 shall be allocated to Wayne State University for the program in Wayne County, and $50,000 to the Department of Education for planning a new center outside of Wayne County. A progress report shall be submitted to the Legislature by the Department not later than April 1, 1977.

Gives the intent of the Legislature that the $220,000 appropriated in this Act for the Bilingual Education Resource Center is intended for the establishment of a center in the Department of Education to assist local districts in establishing and operating bilingual instruction programs.

Public Act 250. Appropriation for Operation of Four-Year Institutions of Higher Education
- Effective for the 1976-77 Fiscal Year, Ending September 30, 1977
(Enrolled Senate Bill 1345)

Appropriates $492,355,100 for the operation of four-year institutions of higher education, and for certain grants and financial aids. Special grants include moneys for state competitive scholarships, state tuition grants, federal special education teacher traineeships, Michigan resident law graduates, Michigan resident dental graduates, Michigan resident allied health professions graduates, Legislative merit awards, and for student loan reserve fund.

Requires each college or university to submit to the Legislature, on forms prepared by the Appropriations Committees, before January 1, 1977, data by department, college, school, and program for the preceding, current, and ensuing fiscal years. The data shall include: (1) student credit hours, (2) annual teaching hours, and (3) annual student hours. Student credit hours shall be considered for funding according to hours applicable toward a baccalaureate or graduate degree; hours generated in practicums, internships, and student teaching; and hours generated in remedial courses. Student credit hours shall not be included if generated by correspondence courses, and credit by examination; if generated in new degree programs after January 1, 1975, if not specifically funded by the Legislature; or if generated in associate or certificate programs after January 1, 1975, except at Ferris State College, Lake Superior State College, Michigan State University, Michigan Technological University, or Northern Michigan University, which were designed to perform a community college function, and the University of Michigan medical and dental programs.

Requires each college and university to submit an annual academic staff performance audit to the Legislature and the Governor by February 1, 1977. The audit shall include measures of experience, training, salary, other compensation, rank, and productivity in terms of instruction and other duties of staff.

Prohibits a student from receiving both a state competitive scholarship and a tuition grant.

Requires the dean of each law school or medical school (allopathic, osteopathic, or veterinarian) supported in whole or in part by appropriations under this Act, to furnish the Chairman of the Senate and House Appropriations Committees, a list of the name, address, city or location, and the state of each applicant accepted for admission to the law school or the medical school within 30 days after actual admission.

Permits the Michigan Technological University to establish an applied technologies and skills program.

Public Act 258. State School Aid for the 1976-77 Fiscal Year - Effective October 1, 1976 (Enrolled Senate Bill 1473)

Amends, adds, or repeals several sections of the "Gilbert E. Bursley School District Equalization Act" - Act No. 258 of the Public Acts of 1972, as amended (Compiled Law Sections 388.1101 to 388.1279).

Appropriates $1,268,025,000, exclusive of retirement, which is an increase of $165,423,644 over the 1975-76 12-month State School Aid Act.*

* Reductions resulting from veto by the Governor are not reflected.

Included in this increase is an estimated $120,000,000 which replaces local property tax revenue lost by removal of business inventory from the state equalized valuation.

Continues the basic membership according to the progressive yield formula. Guarantees the proceeds from a per pupil state equalized valuation of $43,900 for the first 20 mills levied and $39,600 for the next 8 mills. This results in a per pupil guarantee of $1,194.80, which compares with the 1975-76 guarantee of $1,115.75.

The membership section contains a new provision of $80 per pupil allocation to districts in a declining enrollment situation. To qualify, a district must have experienced an enrollment decline of more than 2%. The total appropriation for this provision is $2,800,000. (This provision was vetoed by the Governor.)*

Includes major changes in the funding of adult parttime memberships, as follows:

(1) Eliminates non-resident parttime membership allowance.
(2) Requires local school districts to formalize cooperative agreements.
(3) Requires single district adult education programs be provided within the geographic limits of the district.
(4) Requires that out-of-formula districts have Department of Education approval to enter into a cooperative agreement.
(5) Requires 480 hours of classroom instruction for an equated fulltime adult membership.

The 1975-76 State School Aid Act guaranteed local school districts a 6% per pupil revenue increase from the combined local property tax and basic membership allowance. This guarantee was in lieu of the local revenue lost because of the exclusion of business inventory from state equalized valuation. Funds were included in the 1976-77 Act to cover the guarantee for operating loss suffered by local school districts; however, the guarantee for debt service was deleted. Local school districts, therefore, will have to increase their debt service millage in order to raise property tax revenue to meet principal and interest on outstanding bonds. (It was estimated that full state reimbursement would have required an additional appropriation of $16,500,000.)

Essentially, the categorical appropriations for 1976-77 will continue to be funded at the 1975-76 12-month level. Transportation was increased by $7,700,000 to a total of $70,500,000. The intermediate school district formula was modified to provide an increase of $600,000 to a total of $10,700,000. A new categorical was included -- bilingual education -- to be funded at $850,000, with reimbursement to be on a per pupil basis according to the number of bilingual pupils in membership on the fourth Friday following Labor Day. The reading support appropriation was reduced by $1,000,000 to a total of $2,000,000. (The $200,000 appropriation for experimental projects in 1975-76 was repealed.)

*See P.A. 446, effective January 14, 1977.

State school aid allocations for 1976-77 are estimated on the basis of a state equalized valuation of $55,470,000,000 and a pupil membership (exclusive of intermediate district special education memberships and Department of Corrections memberships at $1,090 each) of 2,099,412, as follows:

General Education	
Basic pupil allowance	$ 943,823,000
Declining enrollment allowance	(2,800,000)--Vetoed
Basic pupil allowance to intermediate districts for special education memberships	14,375,000
Department of Corrections	4,129,000
Compensatory Education	
Basic skills supplementation	22,500,000
Reading support	2,000,000
Special Education	
Regular special education	92,700,000
Intermediate district equalization	2,950,000
Vocational Education	
Regular vocational education	21,250,000
Intermediate district equalization	1,150,000
Transportation	70,500,000
Career Education	-0-
Experimental & Demonstration Programs	
Experimental programs	-0-
Academically talented or gifted	200,000
Intermediate District Programs	
Basic state aid	10,700,000
Cooperative programs	(600,000)--Vetoed
Other State Aid Programs	
Municipal overburden	27,000,000
Capital Outlay	17,700,000
Alternative education programs for pregnant persons	700,000
Community school programs	1,300,000
Neighborhood education centers (Centers are funded under Department of Education budget in an amount of $500,000)	-0-
Alternative juvenile programs	1,100,000
Media centers	900,000
Bilingual programs	850,000
Local revenue guarantee (Operating revenue only)	15,838,000
Intermediate revenue guarantee	7,060,000
Miscellaneous	5,900,000
NET STATE AID	$1,268,025,000**

**Reductions resulting from vetoes by Governor are not reflected.

NOTE: Secs. 21 and 111 superseded by P.A. 446 & P.A. 261, respectively.

NOTE: The contingency provision in Sec. 21(1), as passed by the Legislature, was vetoed. This provision would have increased the state membership allocation to local school districts if the revenue in the School Aid Fund during the 1976-77 fiscal year exceeded $758 million. Because the condition will not be known until the 1976-77 fiscal year is completed, school district budgets will not be affected until the next fiscal year. In the opinion of the Governor, it would be more appropriate to consider the additional funding as a part of next year's budget rather than as a supplement to the 1976-77 funding.

See Public Acts 20, 109, 129, 208, 261 for additional amendments to the State School Aid Act.

Public Act 261. Tuition Formula - State Aid Act
- Effective October 1, 1976
(Enrolled House Bill 6407)

Amends Compiled Law Section 388.1211 (Section 111 of Act No. 258 of the Public Acts of 1976 - The Gilbert E. Bursley School District Equalization Act) to delay for 1 year and modify a provision in the State Aid Act that would have required home districts or parents of tuition students to pay the receiving school district the full cost of education.

Requires, beginning in 1977-78, the sending district or parent to pay the full per capita costs of educating a student if the sending district does not qualify for state aid and the receiving district does. Requires, also, that full per capita costs be paid if neither district qualifies for state aid. If both the sending district and the receiving district receive state aid, tuition would be the difference between the costs and state aid.

Supersedes Sec. 111 in P.A. 258.

NOTE: See Public Acts 20, 109, 129, 208, 258, and 446 for additional State School Aid amendments.

Public Act 267. Open Meetings Act
- Effective March 31, 1977
(Enrolled Senate Bill 920)

A new Public Act (Michigan Compiled Law Sections 15.261 to 15.275) requiring all meetings of a public body be open to the public and all decisions and deliberations by a quorum of a public body be made during an open meeting.

Defines "meeting" to mean the convening of a public body at which a quorum is present for the purpose of deliberating toward or rendering a decision on public policy.

Defines "public body" to mean any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, which is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary function, or a lessee thereof performing an essential public purpose and function pursuant to the lease agreement.

Defines "decision" to mean a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates a public policy.

Requires that all meetings at which a quorum is present for the purpose of deliberating toward or rendering a decision on a matter of public policy be open to the public and held in a place available to the general public.

Excludes social or chance meetings of public officials not designed to circumvent the requirements, the courts, any arbitration functions, the Workers' Compensation Appeal Board, the Employment Securities Appeal Board and the Teacher Tenure Commission.

Permits public bodies, on a 2/3 roll call vote, to recess into closed session to:

1) consider dismissal, suspension or discipline of an employee, if the employee requests a closed meeting,

2) consider dismissal, suspension or discipline of a student if the student or a parent or guardian requests a closed meeting,

3) consider strategy for negotiation of collective bargaining agreements and to negotiate, when either negotiating party requests a closed hearing,

4) consider purchase or lease of real property until an option is obtained,

5) consider material exempt from discussion or disclosure by state or federal statute,

6) consult with legal counsel regarding trial or settlement strategy, when an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body,

7) review contents of an application for employment or appointment, when the candidate requests that the application remain confidential. All interviews must be held during an open meeting.

Requires that proper public notice be given for all public meetings, the notice to contain the name of the public body, the telephone number and address. Requires posting of a notice at the public body's princi-

pal office and other appropriate locations within 10 days after the first meeting of the public body in each calendar year. Posting for any change in regular meetings must occur within 3 days after the meeting at which the change was made and must include new dates, times, and places. Requires rescheduled regular or special meetings of a public body be posted at least 18 hours before the meeting. Waives notice requirements if 2/3 of the members agree and the meeting involves emergency matters threatening the health, welfare and safety of the public.

Requires, further, minutes of all public meetings be kept showing date, time, place, members present, members absent, decisions made, and purpose for which a closed session is held. Mandates that minutes include all roll call votes. Requires minutes be taken of all closed sessions and retained for 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved. Permits disclosure of minutes taken at closed session by civil action only.

Mandates minutes be available for public inspection at the address designated on the public notice -- proposed minutes not more than 8 business days after the meeting and approved minutes not later than 5 business days after the meeting at which the minutes are approved. Requires copies of minutes be available to the public at a reasonable cost for printing and mailing.

Requires public participation at public meetings and permits public bodies to establish reasonable rules to regulate the participation.

Allows for invalidation of decisions made in violation of this act** and provides for penalties.

Repeals Public Act 261 of 1968 (MCL § 15.251 to 253).

** The School Code of 1976, in Section 1201, declares an act of a school board invalid unless taken at an open meeting.

Public Act 275. Dissolution of Consolidated School District - Effective October 14, 1976 (Enrolled Senate Bill 533)

Adds Compiled Law Section 340.416 (Section 416 of Act 269 of the Public Acts of 1955 - the Michigan School Code) to allow a consolidated school district, under certain conditions, to submit the question of disbandment of the consolidated district to the school electors.

NOTE: This Act was enacted to allow a vote on the disbandment of the Twin Valley School District. The Act carries an expiration date of January 1, 1978.

(Incorporated in School Code of 1976 as Sec. 871, MCL § 380.871.)

Public Act 289. Higher Education Institutions - Student Loan Program - Effective October 25, 1976
(Enrolled Senate Bill 619)

A new Public Act (Michigan Compiled Law Sections 390.1351 to 1356) to implement and confirm the constitutional authority of a governing board of a college or university to make and finance student loans.

Public Act 310. Supplemental Appropriation - Including Funds for Paperback Library Programs - Effective October 28, 1976
(Enrolled House Bill 5524)

Provides for the fiscal year ending September 30, 1976, a supplemental appropriation to the State Department of Education in the amount of $72,000 for the Paperback Library Program and $21,000 for the Extended School Year Program (see note).

Appropriates, also, $3,000 to the Department of Education for Higher Education Planning, for the fiscal year ending September 30, 1977.

NOTE: The Governor vetoed the $21,000 appropriation for Extended School Year Programs.

Public Act 314. Scholarships - Tuition Grants to Parttime Students - Effective July 1, 1977
(Enrolled Senate Bill 1391)

Amends Compiled Law Sections 390.991 to 390.995 (Sections 1 to 5 of Act No. 313 of the Public Acts of 1966, as amended - The Tuition Grant Act) to extend tuition grants to parttime students for up to 10 semesters of undergraduate education and 6 semesters of graduate work. Increases tuition minimums for undergraduate and graduate students to $450 and $600 respectively, per semester.

Requires that fulltime students be given priority in the awarding of tuition grants.

NOTE: Secs. 390.992 and 390.993 - superseded in P.A. 452.

Public Act 319. Early Retirement - Public School Employees - Effective March 31, 1977
(Enrolled House Bill 5791)

Amends Compiled Law Sections 38.215, 38.215a, 38.215b, 38.217, 38.322 and 38.323 (Sections 15, 15a, 15b and 17 of Chapter 1 and Sections 22 and 23 of Chapter 2 of Act 136 of the Public Acts of 1945, as amended - the Public School Employees Retirement Act) to permit public school employees to retire at age 55, instead of 60, providing the employee has at least 15 years of service, but under 30 years.

Public Act 325. Special Education Personnel - Employment of Discontinued Employees by Intermediate Districts - Effective December 8, 1976 (Enrolled Senate Bill 1321)

Adds Compiled Law Section 340.774d (Section 774d of Act No. 269 of the Public Acts of 1955 - the Michigan School Code) to require intermediate school districts in providing special education programs and services that were previously provided by a state agency within the intermediate school district, before employing new personnel, to employ any person whose employment has been discontinued by a state agency because of discontinuance of the agency's program or service.

NOTE: Incorporated in the School Code of 1976 as Sec. 1743, MCL § 380.1743.

Public Act 336. Public School Employees Retirement - Chapter 2 Redefines Compensation for Benefits - Effective December 15, 1976 (Enrolled House Bill 6058)

Amends Compiled Law Section 38.311 (Section 11 of Chapter 2 of Act No. 136 of the Public Acts of 1945, as amended - the Public School Employees Retirement Act) to provide that if a member of the Chapter 2 (Detroit) retirement system is concurrently employed in a reporting unit of the Chapter 1 (outstate) retirement system, then, for the purposes of calculating final average compensation, compensation would include remuneration received through a member's employment with a Chapter 1 unit.

Public Act 357. Public School Employees Retirement - Military Service Credit; Cost-of-Living Adjustment - Effective December 23, 1976 (Enrolled Senate Bill 122)

Amends Compiled Law Sections 38.214, 38.214b and 38.319b (Sections 14, 14b of Chapter 1 - outstate and Section 19b of Chapter 2 - Detroit) and adds Sections 27f and 27g to Chapter 1 and Sections 18a, 18b, 25c and 25d to Chapter 2 to Act No. 136 of the Public Acts of 1945, as amended - the Public School Employees Retirement Act) and repeals Section 18 of Chapter 2 (Compiled Law Section 38.318) to permit military service credit for up to 5 years of active duty, subject to appropriate payment by the employee.

Provides cost-of-living adjustments to a retirant or beneficiary who was on the retirement rolls on September 30, 1976, with the supplemental amount dependent upon the number of years of retirement. Persons retiring as late as June 30, 1976 would receive a 1% increase in retirement

benefits as of October 1, 1976 and a second increase of 1% on October 1, 1977. Supplements would increase on a sliding scale with a maximum of 8% going to those persons that retired before June 30, 1969. The percentage of the supplement received in October of 1976 and October of 1977 will be identical.

Repeals Sec. 18 of Chapter 2 of the Act (MCL § 38.318).

Public Act 367. State Library - Depository for All State Documents - Effective December 23, 1976 (Enrolled Senate Bill 1674)

Amends Compiled Law Section 397.59 (Section 9) and adds Compiled Law Sections 397.55 and 397.56 (Sections 5 and 6 of Act No. 28 of the Public Acts of 1895, as amended - The Act to Provide for the Management and Control and for the Extension of the Usefulness of the State Library) to designate the State Library as the official depository for state documents and to require the Library to maintain a complete collection of public state documents, and to establish a state document depository system to store copies of documents in designated depository libraries.

Requires all state agencies, when issuing a public document, to provide the State Library with a minimum of 75 copies and supply additional copies upon request.

Public Act 374. State Board of Education - Amendments to Conform With the School Code of 1976 - Effective January 13, 1977 (Enrolled Senate Bill 1431)

Amends Compiled Law Sections 388.1008a, 388.1010 and 388.1013 and adds 388.1014a (Sections 8a, 10, 13 and 14a of Act No. 287 of the Public Acts of 1964 - the State Board of Education Act) to place certain sections of the 1955 School Code into the State Board of Education Act where they rightfully and properly belong and to remove a portion of Sec. 10 (regarding the issuance of teacher certificates) which has been inserted into the 1976 School Code as Sec. 1531.

NOTE: This is a companion Act to Act No. 451, the School Code of 1976 (Enrolled SB-1435).

Public Act 388. Campaign Financing - Restricts Campaign Contributions and Expenditures; Creates State Campaign Fund - Effective December 30, 1976 (Enrolled Senate Bill 1570)

A new Public Act (Compiled Law Sections 169.201 to 169.282) to regulate political activity and campaign financing, to restrict campaign contri-

butions and expenditures, to require campaign statements and reports, to regulate anonymous contributions and campaign advertising and literature, to provide for segregated funds for political purposes, to provide for the use of public funds for political purposes, to create a state campaign fund and to prescribe penalties for noncompliance.

Repeals Secs. 901 to 929 of Public Act 116 of 1954 (MCL §§ 168.901 to 168.929) of the General Election Laws.

NOTE: This Act will be administered by the Secretary of State's Office. Questions concerning any portions of this Act should be referred to the Office of the Secretary of State.

Public Act 391. Public School Employees Retirement - Reporting Requirements; Inclusion of CETA Employees Under Certain Conditions
- Effective January 4, 1977
(Enrolled Senate Bill 1333)

Amends Compiled Law Sections 38.223a and 38.312 (Section 23a of Chapter 1 - outstate and Section 12 of Chapter 2 - Detroit) and adds Compiled Law Sections 38.220b, 38.235 and 38.366 (Sections 20b and 35 of Chapter 1 and Section 66 of Chapter 2 of Act No. 136 of the Public Acts of 1945, as amended - the Public School Employees Retirement Act) to require the Department of Management and Budget to annually disclose certain information concerning the financial condition of the retirement system to the Legislature, the Governor, and each pension recipient.

Includes under the Public School Employees Retirement Act, Comprehensive Education & Training Act employees, if the employee was under a retirement system of the Act before being employed under CETA.

NOTE: Supersedes Secs. 38.223a and 38.312 in P.A. 104.

Public Act 393. Workers' Disability Compensation - Handicapped Persons Employed in Sheltered Workshops
- Effective January 4, 1977
(Enrolled Senate Bill 1640)

Amends Compiled Law Section 418.351 (Section 351 of Act No. 317 of the Public Acts of 1969 - The Workers' Disability Compensation Act) to provide that handicapped persons who work at incorporated nonprofit work activities centers or sheltered workshops, as part of their rehabilitation, may receive less than the benefit amounts specified by the Act, but not less than 25% of the average weekly wage in covered employment or 100% of the person's actual weekly earnings at the time of the injury, whichever is less.

Public Act 400. School Bond Proceeds - Removes 15% Limitation Under Certain Conditions
- Effective January 6, 1977
(Enrolled Senate Bill 1709)

Amends Compiled Law Section 388.954a (Section 4a of Act No. 108 of the Public Acts of 1961, as amended - The School Bond Loan Act) by exempting the use of proceeds of school board resolution bonds from the 15% limitation presently applied to all referendum and resolution bond issues.

NOTE: This bill was introduced because of a problem experienced by the Kalkaska Public Schools and the new subsection (2) carries an expiration date of July 1, 1977.

Public Act 401. Community Colleges - Investments in Commercial Paper
- Effective January 6, 1977
(Enrolled Senate Bill 882)

Amends Compiled Law Section 389.142 (Section 142 of Act No. 331 of the Public Acts of 1966 - The Community College Act) to allow community college districts to invest debt retirement funds, building and site funds, or general funds of the district in commercial paper of corporations located in Michigan, rated prime or its equivalent at the time of purchase and maturing not more than 270 days after the date of purchase.

Limits the funds which may be invested in commercial paper to no more than 50 percent at any time.

Public Act 406. Michigan Higher Education Assistance Authority - Membership Change
- Effective January 9, 1977
(Enrolled House Bill 6193)

Amends Compiled Law Sections 390.952, 390.955 and 390.957 (Sections 2, 5 and 7 of Act No. 77 of the Public Acts of 1960, as amended - the Michigan Higher Education Assistance Authority Act) to alter the membership on the Assistance Authority to include a representative from a private occupational school; 2 representatives from community colleges rather than 1; and 2 representatives from state supported 4-year colleges and universities (other than Michigan State University, University of Michigan, and Wayne State University), rather than 3.

Redefines "quorum" to mean a majority of the members of the Authority.

Empowers the Authority to guarantee the interest, as well as the principal on guaranteed student loans.

Public Act 415. Scholarships to Each High School on Basis of Enrollment - Effective January 10, 1977
(Enrolled House Bill 6424)

Adds Compiled Law Section 390.981 (Section 11 of Act No. 208 of the Public Acts of 1964, as amended - the State Competitive Scholarship Act) to allot scholarships to each high school on the basis of enrollment. Each class "A" high school will receive 4 scholarships; each class "B" high school will receive 3; each class "C" high school 2; and each class "D" school 1.

Mandates that these scholarships be granted only after sufficient funds are appropriated so as to not displace any student eligible for an award through other award procedures established by the Act.

Public Act 417. Liquor Licenses - University Conference Centers - Effective January 9, 1977
(Enrolled Senate Bill 1367)

Amends several sections of the Liquor Control Act - Public Act 8 of the Extra Session of 1933, and adds a new section (Compiled Law Section 436.17h) to permit the issuance of a license to the governing board of a 4-year state supported institution of higher education for the purposes of selling alcoholic beverages at a conference center operated by the governing board at regularly scheduled conference center activities only. Prohibits the sale of alcoholic beverages to unscheduled patrons or at unscheduled events occurring in the conference centers.

Defines a conference center to mean a building or portion of a building, other than a student residence hall or student center, which has meeting rooms, banquet areas, social halls, overnight accommodations and related facilities for special activities scheduled by the institution.

NOTE: At present this Act applies only to the University of Michigan - Ann Arbor Campus, Michigan State University, Eastern Michigan University, Western Michigan University, and Oakland University.

Public Act 423. Student Membership on Community College Boards - Effective January 11, 1977
(Enrolled House Bill 4156)

Amends Compiled Law Section 15.304a (Section 4a of Act No. 318 of the Public Acts of 1968, as amended - Conflict of Interest Act) to permit a student at a junior or community college to be appointed or elected and to serve on the governing board of the institution that the student attends without creating a conflict of interest.

Public Act 424. Supplemental Appropriations - Unclassified Salaries and Extended School Year
- Effective January 11, 1977
(Enrolled Senate Bill 1740)

An Act to make appropriations to several state agencies, including supplemental appropriations to the Department of Education for the fiscal year ending September 30, 1977.

Appropriates $21,000 for extended school year programs, and $8,325 for compensation for certain unclassified positions.

Provides for the expenditure of federal funds appropriated through ESEA V, ESEA VII, NIE, and the Right to Read Program.

Provides, for the fiscal year ending June 30, 1975, a supplemental appropriation of $9 for the Michigan Technological University.

Public Act 428. Scholarships - Residency Requirements; Nongraduate Recipients; Residual Awards
- Effective January 12, 1977
(Enrolled House Bill 6232)

Amends Compiled Law Sections 390.974 and 390.975 (Sections 4 and 5 of Act No. 208 of the Public Acts of 1964 - The Scholarship Grant Act) to reduce the residency requirement for the State Competitive Scholarship Act from 18 months to 12 months.

Permits scholarship applicants who are not high school graduates to be considered for scholarships if recommended favorably by an appropriate educational institution.

Provides that residual scholarships be awarded to qualified applicants who do not receive an initial scholarship award, but who may be eligible for an award later in the year or during an undergraduate year, when initial recipients relinquish their scholarship awards, without regard to the applicant's date of high school graduation.

Public Act 442. Freedom of Information Act
- Effective April 14, 1977
(Enrolled House Bill 6085)

A new Public Act (Michigan Compiled Law Sections 15.231 to 15.246) creating the "Freedom of Information Act" to provide for public access to certain public records of public bodies and to provide remedies and penalties for noncompliance.

Requires public bodies to copy or to allow inspection of public records upon oral or written request of any person. Mandates that reasonable facilities be provided for requesting persons to examine and take notes from public records and that the facilities be available for use during normal business hours.

Permits a public body to establish reasonable rules to protect its public records and to prevent excessive interference with the discharge of its duties.

Permits, further, subscriptions to public records issued or created by a public body on a regular basis, such subscription being valid for six months (Note P.A. 267, the Open Meetings Act, requires minutes of school board meetings be available for annual subscription).

Permits, but does not require, public agencies to charge fees for copying records and requires public bodies to establish and publish procedures and guidelines for charging fees for public records; allowable charges are listed in the Act.

Requires disclosure of records within 5 days of an oral or written request, unless the requesting person agrees in writing to afford the public body a longer period. Requires, further, that the public body either grant the request completely, issue a written notice denying the request, grant the request in part and issue a written notice denying the request in part, or issue an extension notice to the requesting person.

Permits one extension notice for up to 10 additional days when the request is complex and could not properly be completed in a five-day period. Requires the extension notice be issued before the expiration of the original 5-day period and be in writing.

Outlines procedures for denying disclosure of public records and steps a public body must take in notifying a person of such denial. Requires each public body to designate the chief administrative officer, or an individual designated in writing by that chief administrative officer, as responsible for approving a denial for requested materials not exempt under this Act.

Exempts from disclosure the records of legislators, the Governor, the Lieutenant Governor, the Judiciary, certain information kept by law enforcement agencies, and specific records which, among others, include:

1) Records or information which are exempted from disclosure by statute.

2) Information protected by the Family Rights and Privacy Act.

3) Information of a personal nature, disclosure of which would invade an individual's privacy.

4) Information or records subject to the attorney-client privilege, the physician-patient privilege, or the psychologist-patient privilege.

5) Bids or proposals to enter into a contract, until the time for the public opening of bids or proposals, or until expiration of the time for the receipt of bids or proposals.

6) Appraisals of real property to be acquired by the public body, until an agreement is entered into, or until 3 years have elapsed and there is no litigation pending relative to the appraisal.

7) Test questions and answers, scoring keys and other examination instruments and data used for public employment or for academic examinations, unless the public interest in disclosures outweighs the public interest in nondisclosure.

8) Medical, counseling, or psychological facts or evaluations concerning an individual if the individual's identity would be revealed by a disclosure of the information.

9) Interagency and intra-agency memoranda and notes if they are communications and notes within a public body or between public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final agency determination of policy or action.

10) Academic transcripts of an institution of higher education, where the record pertains to a student who is delinquent in the payment of financial obligations to the institution.

Outlines procedures a person would follow to compel disclosure of public records through court action and damages which may be assessed against a public body for violation of this Act.

Repeals sections 21, 22 and 23 of the Administrative Procedures Act, Public Act 306 of 1969, as amended (MCL §§ 24.221 to 24.223).

Public Act 446. Declining Enrollment Appropriation - Effective January 13, 1977 (Enrolled Senate Bill 1637)

Amends Compiled Law Section 388.1121 (Section 21 of Act No. 258 of the Public Acts of 1972 - The State Aid Act) to appropriate $1,650,000, for the purpose of providing funds to school districts that have experienced more than a 2 percent declining enrollment during the 1976-77 school year, as compared to the 1975-76 membership.

Provides declining enrollment funds to in-formula districts only.

(Supersedes Sec. 21 in P.A. 258)

Public Act 450. Community Colleges - Use of State Vehicles - Effective January 13, 1977 (Enrolled Senate Bill 1741)

Amends Compiled Law Section 21.302 (Section 2 of Act 260 of the Public Acts of 1947 - The Division of Automotive Control Act) by permitting the use of state vehicles by employees of community colleges supported in part by state funds, for official business.

This Act shall terminate on September 30, 1977.

Public Act 451. School Code of 1976 - Effective January 13, 1977 (Enrolled Senate Bill 1435)

A new Public Act (Compiled Law Sections 380.1 to 380.1853) titled the Michigan School Code of 1976.

Recodifies the Michigan School Code (previously Public Act 269 of 1955) to delete obsolete material, clarify ambiguities, eliminate conflicting language, unify certain subject areas, reorder the chapter organization, incorporate miscellaneous statutes with pertinence to local and intermediate school districts only, and update language and style.

Repeals those separate public acts which are incoporated in the New Code, and repeals several obsolete acts.

NOTE: This is a companion Act to P.A. 374 (Enrolled Senate Bill 1431).

Public Act 452. Tuition Grants - Residency Requirements - Effective January 13, 1977 (Enrolled House Bill 6233)

Amends Compiled Law Sections 390.992, 390.993 and 390.997 (Sections 2, 3 and 7 of Act No. 313 of the Public Acts of 1966, as amended - The Tuition Grant Act) to reduce the residency requirement for the Tuition Grant Act from 18 months to 12 months.

Prohibits students from receiving a state scholarship and tuition grant concurrently.

NOTE: Supersedes Secs. 390.992 and 390.993 in P.A. 314.

Public Act 453. Michigan Civil Rights Act
- Effective March 31, 1977
(Enrolled House Bill 4055)

A new Public Act (Michigan Compiled Law Sections 37.2101 to 37.2804) which consolidates previous civil rights statutes into a single act and expands the protections against discrimination.

Bars discrimination in the areas of employment, housing, public accommodations, public service and education because of religion, race, color, national origin, age, sex, or marital status.

Provides penalties for noncompliance.

Repeals the prior Civil Rights Act (P.A. 45 of the 1963 Second Extra Session); the Fair Employment Practice Act (P.A. 251 of 1955); and the Fair Housing Act (P.A. 112 of 1968).

Public Act 454. Mandatory School Lunch and Breakfast
- Effective January 13, 1977
(Enrolled House Bill 4233)

A new Public Act (Michigan Compiled Law Sections 388.361 to 388.365) to require local school districts to provide school lunch, school breakfast and supplemental milk programs.

Requires school lunch programs be available to all pupils in all schools by October 1, 1977. Requires also that school breakfast programs be available in all schools where 20% or more of the pupils attending are eligible for free or reduced priced lunches. Primary districts and all fourth class school districts where 25% or more of the pupils are transported more than 5 miles are exempt from the school breakfast requirement.

Requires supplemental milk be available to all pupils in all schools, except in schools providing lunch and/or breakfast programs. Mandates that all school lunches and school breakfasts meet minimum requirements prescribed by the Department of Education. Permits the meals to be served either hot or cold. Permits, for the school year 1977-78 only, compliance by school districts providing a suitable place for children to eat home packed lunches with the availability of milk.

Mandates the Department of Education to promulgate rules and to provide the Legislature with a determination of actual, reasonable and necessary initial equipment and capital outlay costs which will be incurred by school districts, together with recommendations for an appropriation by the Legislature to cover full reimbursement of these costs, less federal subsidies.

NOTE: Refer, also, to Sec. 1272 (MCL § 380.1272) P.A. 451.

VETOES

Enrolled Senate Bill 1215. — Michigan Commission for Deaf
Vetoed by the Governor on January 13, 1977

The bill proposed to create the Michigan Commission for the Deaf as a separate entity within the Department of Management and Budget.

Enrolled Senate Bill 1426. — Grand Valley State Colleges - Name Change
Vetoed by the Governor on July 29, 1976

The bill proposed to change the name of Grand Valley State Colleges to Grand Valley University.

Enrolled House Bill 5501. — Speed Limits Near Schools
Vetoed by the Governor on January 12, 1977

The bill proposed to require speed limits on roads within 500 feet of school property lines to be reduced to 25 miles per hour for 30 minutes before and after regularly scheduled school sessions. Would have exempted limited access highways or those over which there are pedestrian overpasses.

MICHIGAN STATE BOARD OF EDUCATION

STATEMENT OF ASSURANCE OF COMPLIANCE WITH FEDERAL LAW

The Michigan State Board of Education hereby agrees that it will comply with Federal laws prohibiting discrimination and with all requirements imposed by or pursuant to regulations of the U.S. Department of Health, Education and Welfare. Therefore, it shall be the policy of the Michigan State Board of Education that no person on the basis of race, color, religion, national origin or ancestry, age, sex, or marital status shall be discriminated against, excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any federally funded program or activity for which the Michigan State Board of Education is responsible or for which it receives federal financial assistance from the Department of Health, Education and Welfare. This policy of non-discrimination shall also apply to otherwise qualified handicapped individuals.